

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. No: 10/511,831  
 Applicant: Hiroshi Saitoh, et al.  
 Filed: October 19, 2004  
 Title: AUTOREC SIGNAL MULTIPLEX APPARATUS, AUTOREC SIGNAL MULTIPLEX METHOD, PROGRAM, AND RECORDING MEDIUM  
 TC/A.U.: 2621  
 Examiner: Nigar Chowdhury  
 Docket No.: MTS-3542US

**REQUEST FOR REFUND**  
 (Improper Charge of Deposit Account)

Mail Stop 16  
 Director of the U.S. Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

**I. REFUND REQUEST**

This is a request for refund with respect to the charge to Deposit Account No. 18-0350 shown on the statement dated July 2008 for the above-identified application.

Accompanying this request is a copy of the monthly statement on which the referred error is listed.

**II. FEES CHARGED FOR WHICH REFUND IS REQUESTED**

		Amount of Refund Requested	
<input checked="" type="checkbox"/>	Excess claims	\$	420.00
	<b>TOTAL REFUND REQUESTED</b>	\$	<b>420.00</b>

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

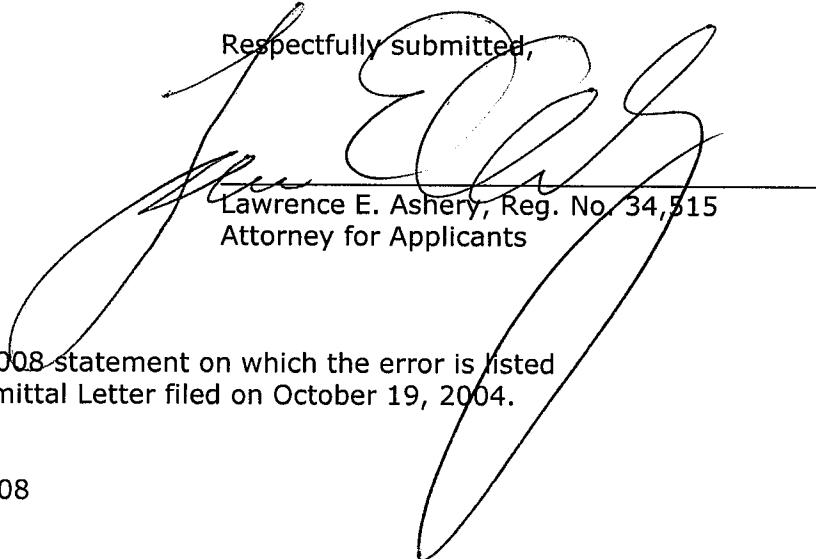
The Amendment filed on June 27, 2008 included 5 independent claims. The fee for two additional independent claims was previously paid on October 19, 2004 (see attached Transmittal Letter). Therefore, the additional claim charge on the July 2008 USPTO Deposit Account Statement is inappropriate.

**IV. MANNER OF REFUND**

Please make refund by:

- crediting Deposit Account No. 18-0350.
- refunding payment.

Respectfully submitted,

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/dmw

Attachment: Copy/July 2008 statement on which the error is listed  
Copy/Transmittal Letter filed on October 19, 2004.

Dated: September 11, 2008

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

344072



**United States  
Patent and  
Trademark Office**

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**Deposit Account Statement**

**Requested Statement Month:** July 2008  
**Deposit Account Number:** 180350  
**Name:** RATNER AND PRESTIA  
**Attention:**  
**Street Address 1:** P O BOX 980  
**Street Address 2:**  
**City:** VALLEY FORGE  
**State:** PA  
**Zip:** 19482  
**Country:** UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
07/03	15780	12156567	TAL-123US	8021	\$40.00
07/07	1	11175827	KET-100US	2251	\$60.00
07/07	14	12093863	GLTC-114US	1614	\$310.00
07/08	1	10511831	MTS-3542US	1201 →	\$420.00
07/10	1	10489927	GRY-123US	1254	\$1,640.00
07/15	9428	61037065	ITC-355TW	8007	\$20.00
07/18	42	PAYMENT		9203	-\$5,000.00
07/22	1	11194865	ITDE-PNV125US	1202	\$50.00
07/24	1	10311914	MTS-3392US	1201	\$420.00
07/24	2	10311914	MTS-3392US	1202	\$50.00
07/31	3	10922782	10428US (EKC 90154)	1201	-\$210.00
					\$22,477.13

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$20,277.13	\$3,010.00	\$5,210.00	\$22,477.13

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420.00

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER MTS-3542US
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) To Be Assigned
INTERNATIONAL APPLICATION NO. PCT/JP03/04674	INTERNATIONAL FILING DATE 14 April 2003 (14.04.03)	PRIORITY DATE CLAIMED 19 April 2002 (19.04.02)
TITLE OF INVENTION AUTOREC SIGNAL MULTIPLEX APPARATUS, AUTOREC SIGNAL MULTIPLEX METHOD, PROGRAM, AND RECORDING MEDIUM (AS AMENDED)		
APPLICANT(S) FOR DO/EO/US Hiroshi SAITO, Hideaki MITA		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An <input checked="" type="checkbox"/> executed/<input type="checkbox"/> unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern documents(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Express Mail Certificate, PCT Publication Cover Page, Return Postcard, USPTO Credit Card Payment Form</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) To Be Assigned		INTERNATIONAL APPLICATION NO. PCT/JP03/04674	ATTORNEY DOCKET NUMBER MTS-3542US																				
<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1) – (5)):</b>            Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO</p>		<b>CALCULATIONS PTO USE ONLY</b>																					
<p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO</p>		\$1110.00																					
<p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO</p>		\$790.00																					
<p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33 (1)-(4)</p>		\$750.00																					
<p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4)</p>		\$100.00																					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 950</b>																							
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		\$																					
<table border="1" style="width: 100%;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>EXTRA NUMBER</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>22- 20 =</td> <td>2</td> <td>X \$18.00</td> </tr> <tr> <td>Independent claims</td> <td>5 - 3 =</td> <td>2</td> <td>X \$88.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td>+ \$300.00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>\$</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	EXTRA NUMBER	RATE	Total claims	22- 20 =	2	X \$18.00	Independent claims	5 - 3 =	2	X \$88.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00				\$		
CLAIMS	NUMBER FILED	EXTRA NUMBER	RATE																				
Total claims	22- 20 =	2	X \$18.00																				
Independent claims	5 - 3 =	2	X \$88.00																				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00																				
			\$																				
		<b>TOTAL OF ABOVE CALCULATIONS = \$ 1162</b>																					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$																					
		<b>SUBTOTAL = \$ 1162</b>																					
<p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>		\$																					
		<b>TOTAL NATIONAL FEE = \$ 1162</b>																					
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>		\$ 40																					
		<b>TOTAL FEES ENCLOSED = \$ 1202</b>																					
		Amount to be refunded: \$																					
		Charged: \$																					
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>18-0350</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>																							
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the Application to pending status.</b></p>																							
<input type="checkbox"/> Customer Number		<u>23122</u> <i>(Insert Customer No. here)</i>																					
		or <input checked="" type="checkbox"/> Correspondence address below																					
Send All Correspondence to:		<u>Daniel N. Calder</u> Signature <u>Daniel N. Calder</u> Name <u>27,424</u> Registration Number <u>October 19, 2004</u> Date																					
<input checked="" type="checkbox"/> RatnerPrestia P.O. Box 980 Valley Forge, PA 19482 <b>OR</b> <input type="checkbox"/> RatnerPrestia Nemours Building 1007 Orange Street Suite 1100 P.O. Box 1596 Wilmington, DE 19899																							